

ORIGINAL

Jorge Salazar-Guillen
Reg. No. 87626-022
Federal Correction - Low
P.O. Box 26020
Beaumont, TX 77720-6020

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
HONOLULU DIVISION

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

DEC 19 2005

at 4 o'clock and 20 min L M
SUE BEITIA, CLERK

United States of America,
Respondent,

v.

Jorge Salazar-Guillen
Petitioner.

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Case No.
CR-00-00817-01 HG

MOTION TO ELIMINATE ENHANCEMENTS AND REDUCE SENTENCE

In lieu of Supreme Court findings in United States v Booker, 125 S.Ct. 738 (2005) decided by the Supreme Court on January 12, 2005, petitioner's Sixth Amendment rights were violated by imposing sentencing enhancements based on the sentencing judge's determination of facts that were not found by a jury beyond a reasonable doubt nor admitted by the petitioner.

In lieu of Dodd v United States, 162 Fed2d 343 (2005) decided by the Supreme Court on June 22, 2005 which held petitioner's new rights issued by Supreme Court decision(s) begins to run from the date the new right is first recognized, petitioner's Booker deadling to file in January 12, 2006.

Petitioner is proceeding pro-se and interposing Haines v Kerner, 404 US 519 (1972). Petitioner further states that he is unlettered in law and has limited resources to research and/or access case law due to his imprisonment. Therefore, petitioner incorporates by reference any precedent Supreme Court decision and any future Supreme Court decision that affect(s)

petitioner's case, constitutional issues and/or constitutional errors and/or structural errors that would lawfully provide relief from said issues and/or errors if brought to the attention of this Court.

Thus, this petitioner requests a review of his case and a sentence reduction, eliminating the enhancements in his case.

Date:

12/12/05

Respectfully submitted,

Jorge G. Salazar.

Jorge Salazar-Guillen
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CERTIFICATE OF SERVICE

I, hereby certify that I mailed a true and correct copy of the foregoing motion addressed to:

U.S. Attorney's Office
Rm. 600 PJKK Fed. Bldg.
300 Ala Moana Blvd.
Honolulu, Hawaii 96813

On this the 12 day of Dec, 2005.

Jorge G. Salazar
Jorge Salazar-Guillen